



Office of Administrative Services
Freedom of Information Act Office

December 4, 2015

Ms. Sally Noble
309 Wisconsin Ave., Unit #1N
Oak Park, IL 60302

Dear Ms. Noble:

This letter is in response to your U.S. General Services Administration (GSA) Freedom of Information Act (FOIA) request (GSA-2015-000617), dated March 28, 2015, in which you requested:

"Copies of all documents submitted as part of the application for current GSA schedule that was approved and resulted in contract number GS-06F-0003N (Orkin, LLC), including the entire application, all supporting documents, exhibits, and documents furnished. Please note that I have accessed all information pertaining to this contract that is currently available online at the GSA website. However these materials do not include a complete application.

<http://www.gsaelibrary.gsa.gov/ElibMain/sinDetails.do?sessionId=A15C104899694DCB5D604FC83A575E1E.prd2pweb?scheduleNumber=03FAC&specialItemNumber=371+003&subcategoryCode=&searchType=null&filter=NO&sortOrder=des&sortBy=1>. I am interested in obtaining complete sets of application documents for this contract. Please include copies of any and all documents submitted for this contract including, but not limited to, copies of the completed application, all supporting documents, exhibits, and documents furnished."

In processing your request, the following documents are being provided:

- Segment 001 of SF 1449 – No redactions;
- Segment 002 of SF 1449 – Partial redactions to pages 15-61;
- Segment 001 Pricing Proposal - Partial redactions to pages 22-26;
- Segment 002 Pricing Proposal – Partial redactions to pages 56 & 59;
- Segment 003 Pricing Proposal – Partial redactions to pages 21-59;
- Segment 004 Pricing Proposal – Partial redactions to pages 1-13;
- Final Proposal Revision – Partial redactions to pages 1-2;
- Commercial Sales Practice Format – Partial redaction to page 1;
- Supplemental 1449 – No redactions.

In processing your request, the following information has been withheld:

1. Proposals that were submitted to GSA in response to GSA's solicitation and not subsequently incorporated into an award are being withheld in full pursuant to Exemption 3 of the FOIA, 5 U.S.C. §552(b)(3), which pertains to information exempted from release by statute. In this instance, 41 U.S.C. §253b(m)(1) specifically prohibits release of contractor proposals in the possession or control of an executive agency, including technical, management and cost

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Washington, DC 20405
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proposals, submitted in response to a solicitation for a proposal and not incorporated into an award.

2. In addition, the Tax Identification Number (TIN), customer names, customer phone number, customer facsimiles, customer addresses, customer location addresses, customer discounts, and customer sales figures were withheld on the above mentioned documents. This is done in accordance with 5 U.S.C.552 (b) (4) because it contains matters that are commercial or financial information obtained from a person that is privileged or confidential information. Disclosure of customer information could cause a substantial risk of competitive injury to the submitter of that information. If customer information was disclosed, competitors could use the information to gain a competitive advantage over Orkin by contacting Orkin customers and using information about the various financial/commercial agreements between Orkin and their customers to undermine/undercut Orkin. The information also provides insight into commercial arrangements that Orkin has with various customers - information which could be used by a competitor to increase its competitive edge and gain market share. Therefore, information indicating customer names, customer phone number, customer facsimiles, customer addresses, and customer location addresses will not be released.
3. Also, Orkin's field directory information such as names, titles, addresses, phone numbers, and fax numbers were withheld on the above mentioned documents. This is done in accordance with 5 U.S.C.552 (b)(4) because it contains matters that are commercial or financial information obtained from a person that is privileged or confidential information. Disclosure of field directory information could cause a substantial risk of competitive injury to the submitter of that information. If field directory information was disclosed, competitors could use the information to gain a competitive advantage over Orkin by contacting Orkin field directory personnel and using information about the various financial/commercial agreements between Orkin and their field directory to undermine/undercut Orkin. The information also provides insight into commercial arrangements that Orkin has with various field directory personnel -- information which could be used by a competitor to increase its competitive edge and gain market share.
4. Orkin's field directory information is also withheld in accordance with 5 U.S.C. 552(b)(6) which states that disclosure of matters that are personnel and medical files and similar files, would constitute a clearly unwarranted invasion of Personal Privacy. In all documents provided as partially exempt from release, the names and personal identifying information of private individuals are being withheld pursuant to Exemption 6 of the Freedom of Information Act, 5 U.S.C. §552(b)(6), which pertains to information, the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties. We have determined that individuals to whom this information pertains could reasonably expect that such information would not be disseminated to the general public. Further, the nature of this information is such that it sheds little light on the agency's performance of its statutory duties in this context, and thus the public interest in such information is outweighed by the privacy interest under consideration. Therefore, information indicating field directory names, titles, addresses, phone numbers, and fax numbers will not be released.

You have the right to appeal the partial denial of the information withheld. To do so, you must write, within 120 days of your receipt of this letter, to the following address:

Freedom of Information Act Office (H1C)
U.S. General Services Administration
1800 F St. NW, Room 7308
Washington, DC 20405

Your appeal must be in writing and contain a brief statement of the reasons why the withheld information should be released. Enclose a copy of your initial request and a copy of this letter. Both the appeal letter and envelope should be marked prominently, "Freedom of Information Act Appeal."

This completes our action on this request. Should you have any questions concerning this matter, please contact Amy Stucker, Contracting Officer at 816-926-3797, or by email to amy.stucker@gsa.gov.

Sincerely,

Travis Lewis

Travis Lewis
FOIA Program Manager

Enclosures

Concurrences:

<u>Angela K. Kittel</u>	11-20-15
6Q1SAA	Date
<u>Elaine L. Gasmussen</u>	11-20-15
6Q1SA	Date
<u>Sharon Henry</u>	12/2/2015
6Q1	Date
LD6	Date

cc: Official File 6Q1SAA
Reading File 6Q1, 6Q1SA, LD6
6QSAA: ASucker: GSA-2015-000617-partial denial